



NOTICE OF PROPOSED RULE ADOPTION

STATE OF MISSISSIPPI MISSISSIPPI DEPARTMENT OF INSURANCE

Mississippi Department of Insurance
c/o Lee Harrell, Deputy Commissioner
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Miss. Code Ann. §§ 83-5-17; 83-5-29 through 83-5-51; and 83-17-1 through 83-17-89(Rev. 2001), as well as the provisions of Mississippi Department of Insurance Regulation No. 88-101, said regulation being the Rules of Practice and Procedure before the Mississippi Insurance Department.

Reference to Rules repealed, amended or suspended by the Proposed Rule:

N/A

Specific Legal Authority authorizing the promulgation of Rule:

Explanation of the Purpose of the Proposed Rule and the reason(s) for proposing the rule:

The purpose of this Regulation is to set forth a requirement that all insurers and property and casualty insurance producers who sell personal lines residential property insurance coverage ("homeowners") and/or residential windstorm property coverage ("windstorm") shall provide written notice to the policyholder at the time of issuance of the policy and thereafter at each renewal of any flood exclusion and/or earthquake exclusion in the homeowners and/or windstorm residential insurance policy, and to further provide notice of such exclusions directly within the Declarations Page(s) of each policy.

This rule is proposed as a ☒ Final Rule, and/or a ☐ Temporary Rule (Check one or both boxers as applicable.)

Persons may present their views on the proposed rule by addressing written comments to the agency at the above address. Persons making comments should include their name and address, as well as other contact information, and if you are an agent or attorney, the name, address and telephone number of the party or parties you represent.

Oral Proceeding: Check one box below:

☒ An oral proceeding is scheduled on this rule on Date: June 7, 2006 Time: 10:00 a.m.
Place: North Room, Room 138, First Floor, Woolfolk State Office Building

If you wish to be heard and present evidence at the oral proceeding you must make a written request to the agency at the above address by June 5, 2006 by 4:00 p.m. prior to the proceeding to be placed on the agenda. The request should include your name, address, telephone number as well as other contact information; and if you are an agent or attorney, the name, address and telephone number of the party or parties you represent.

☐ An oral proceeding is not scheduled on this rule. Where an oral proceeding is not scheduled, an oral proceeding will be held if a written request for an oral proceeding is submitted by a political subdivision, an agency or ten (10) persons. The written request should be submitted to the agency contact person at the above address within twenty (20) days after the filing of this notice of proposed rule adoption and should include the name, address and telephone number of the person(s) making the request; and if you are an agent or attorney, the name, address and telephone number of the party or parties you represent.

Economic Impact Statement: Check one box below:

☒ The agency has determined that an economic impact statement is not required for this rule, or
☐ The concise summary of the economic impact statement required is attached.

The entire text of the Proposed Rule including the text of any rule being amended or changed is attached.

Date Rule Proposed: May 17, 2006

Proposed Effective Date of Rule: July 14, 2006

Lee Harrell
Deputy Commissioner of Insurance

SOS FORM APA 001
Effective Date 07/29/2005